

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS

Michael Williams, individually and on behalf of all others Krispy Kreme Doughnut Corporation similarly situated

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

SHEEHAN & ASSOCIATES, P.C., 505 NORTHERN BLVD  
STE 311 GREAT NECK NY 11021-5101, (516) 303-0552

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)  
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

## 28 USC § 1332, Unfair Competition

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No  Yes  Judge Previously Assigned

If yes, was this case Vol.  Invol.  Dismissed. No  Yes  If yes, give date & Case No.

IS THIS AN INTERNATIONAL ARBITRATION CASE? No  Yes

#### NATURE OF SUIT

## TORTS

#### ACTIONS UNDER STATUTES

CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
[ ] 110 INSURANCE	[ ] 310 AIRPLANE	[ ] 367 HEALTHCARE/	[ ] 625 DRUG RELATED	[ ] 422 APPEAL	[ ] 375 FALSE CLAIMS
[ ] 120 MARINE	[ ] 350 AIRPLANE PRODUCT	PHARMACEUTICAL PERSONAL	[ ] 28 USC 158	[ ] 376 QUI TAM	
[ ] 130 MILLER ACT	LIABILITY	INJURY/PRODUCT LIABILITY	SEIZURE OF PROPERTY	[ ] 400 STATE	
[ ] 140 NEGOTIABLE INSTRUMENT	[ ] 320 ASSAULT, LIBEL & SLANDER	[ ] 365 PERSONAL INJURY	21 USC 881	REAPPORTIONMENT	
[ ] 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT	[ ] 330 FEDERAL EMPLOYERS' LIABILITY	[ ] 368 ASBESTOS PERSONAL INJURY PRODUCT LIABILITY	[ ] 690 OTHER	[ ] 410 ANTITRUST	
[ ] 151 MEDICARE ACT	[ ] 340 MARINE	<b>PERSONAL PROPERTY</b>	<b>PROPERTY RIGHTS</b>	[ ] 430 BANKS & BANKING	
[ ] 152 RECOVERY OF DEFULTED STUDENT LOANS (EXCL VETERANS)	[ ] 345 MARINE PRODUCT LIABILITY	[*] 370 OTHER FRAUD	[ ] 820 COPYRIGHTS	[ ] 450 COMMERCE	
[ ] 153 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS	[ ] 350 MOTOR VEHICLE	[ ] 371 TRUTH IN LENDING	[ ] 830 PATENT	[ ] 460 DEPORTATION	
[ ] 160 STOCKHOLDERS SUITS	[ ] 355 MOTOR VEHICLE		[ ] 835 PATENT-ABBREVIATED NEW DRUG APPLICATION	[ ] 470 RACKETEER INFLUENCED & CORRUPT ORGANIZATION ACT (RICO)	
[ ] 190 OTHER CONTRACT	[ ] 360 OTHER PERSONAL INJURY	[ ] 380 OTHER PERSONAL PROPERTY DAMAGE	[ ] 840 TRADEMARK	[ ] 480 CONSUMER CREDIT	
[ ] 195 PRODUCT LIABILITY	[ ] 362 PERSONAL INJURY - MED MALPRACTICE	[ ] 385 PROPERTY DAMAGE PRODUCT LIABILITY		[ ] 490 CABLE/SATELLITE TV	
[ ] 196 FRANCHISE	<b>ACTIONS UNDER STATUTES</b>	<b>PRISONER PETITIONS</b>	<b>LABOR</b>	<b>SOCIAL SECURITY</b>	
		[ ] 463 ALIEN DETAINEE	[ ] 710 FAIR LABOR STANDARDS ACT	[ ] 861 HIA (1395ff)	[ ] 850 SECURITIES/ COMMODITIES/ COMMODITIES/
		[ ] 510 MOTIONS TO VACATE SENTENCE	[ ] 720 LABOR/MGMT RELATIONS	[ ] 862 BLACK LUNG (923)	
		28 USC 2255	[ ] 751 FAMILY MEDICAL LEAVE ACT (FMLA)	[ ] 863 DIWC/DIWW (405(g))	
				[ ] 864 SSID TITLE XVI	
				[ ] 865 RSI (405(g))	
		<b>CIVIL RIGHTS</b>	[ ] 740 RAILWAY LABOR ACT	<b>FEDERAL TAX SUITS</b>	
		[ ] 530 HABEAS CORPUS	[ ] 790 OTHER LABOR LITIGATION	[ ] 870 TAXES (U.S. Plaintiff or Defendant)	[ ] 890 OTHER STATUTORY ACTIONS
		[ ] 535 DEATH PENALTY	[ ] 791 EMPL RET INC SECURITY ACT (ERISA)	[ ] 871 IRS-THIRD PARTY	[ ] 891 AGRICULTURAL ACTS
		[ ] 540 MANDAMUS & OTHER	26 USC 7609		
<b>REAL PROPERTY</b>	[ ] 440 OTHER CIVIL RIGHTS (Non-Prisoner)				
[ ] 210 LAND CONDEMNATION	[ ] 441 VOTING		<b>IMMIGRATION</b>		
	[ ] 442 EMPLOYMENT	<b>PRISONER CIVIL RIGHTS</b>	[ ] 462 NATURALIZATION APPLICATION		
[ ] 220 FORECLOSURE	[ ] 443 HOUSING/		[ ] 465 OTHER IMMIGRATION ACTIONS		[ ] 893 ENVIRONMENTAL MATTERS
[ ] 230 RENT LEASE & EJECTMENT	ACCOMMODATIONS	[ ] 444 AMERICANS WITH DISABILITIES - EMPLOYMENT	[ ] 550 CIVIL RIGHTS		[ ] 895 FREEDOM OF INFORMATION ACT
[ ] 240 TORTS TO LAND			[ ] 555 PRISON CONDITION		[ ] 896 ARBITRATION
[ ] 245 TORT PRODUCT LIABILITY			[ ] 560 CIVIL DETAINEE CONDITIONS OF CONFINEMENT		[ ] 899 ADMINISTRATIVE PROCEDURE ACT/REVIEW OR APPEAL OF AGENCY DECISION
[ ] 290 ALL OTHER REAL PROPERTY	[ ] 446 AMERICANS WITH DISABILITIES - OTHER	[ ] 448 EDUCATION			[ ] 950 CONSTITUTIONALITY OF STATE STATUTES

*Check if demanded in complaint:*

CHECK IF THIS IS A CLASS ACTION  
UNDER F.R.C.P. 23

DEMAND \$ 5,000,000 OTHER

#### CHARTES (Continued)

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.  
AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13?  
IF SO, STATE:

*Check YES only if demanded in complaint*

JURY DEMAND:  YES  NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN x IN ONE BOX ONLY)

<input checked="" type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from (Specify District)	<input type="checkbox"/> 6 Multidistrict Litigation (Transferred)	<input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge
<input type="checkbox"/> a. all parties represented						
<input type="checkbox"/> b. At least one party is pro se.						<input type="checkbox"/> 8 Multidistrict Litigation (Direct File)

(PLACE AN x IN ONE BOX ONLY)

1 U.S. PLAINTIFF  2 U.S. DEFENDANT  3 FEDERAL QUESTION  4 DIVERSITY  
(U.S. NOT A PARTY)

**BASIS OF JURISDICTION****IF DIVERSITY, INDICATE CITIZENSHIP BELOW.****CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)**

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF DEF [x] 1 [ ] 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF DEF [ ] 3 [ ] 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF DEF [ ] 5 [x] 5
CITIZEN OF ANOTHER STATE	[ ] 2 [ ] 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[ ] 4 [ ] 4	FOREIGN NATION	[ ] 6 [ ] 6

**PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)**

Michael Williams, 3395 Reservoir Oval W Apt A7, Bronx, NY 10467-3125, Bronx County

**DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)**

Krispy Kreme Doughnut Corporation, 370 Knollwood St, Winston-Salem NC 27103-1835, Forsyth County

**DEFENDANT(S) ADDRESS UNKNOWN**

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

**COURTHOUSE ASSIGNMENT**

I hereby certify that this case should be assigned to the courthouse indicated below pursuant to Local Rule for Division of Business 18, 20 or 21.

Check one: THIS ACTION SHOULD BE ASSIGNED TO:  WHITE PLAINS  MANHATTAN

DATE 12/27/2019

SIGNATURE OF ATTORNEY OF RECORD  
/s/ Spencer Sheehan

RECEIPT #

ADMITTED TO PRACTICE IN THIS DISTRICT

[ ] NO  
[x] YES (DATE ADMITTED Mo. 07 Yr. 2012)  
Attorney Bar Code # SS-2056

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge \_\_\_\_\_ is so Designated.

Ruby J. Krajick, Clerk of Court by \_\_\_\_\_ Deputy Clerk, DATED \_\_\_\_\_.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)